

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, AUGUST 20, 2002
COUNTY COMMISSIONERS CHAMBERS, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Bob Workman, Chair
Bernie Heier, Vice Chair
Kathy Campbell
Larry Hudkins
Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was convened at 1:30 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, August 13, 2002. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

MOTION: Campbell moved and Heier seconded approval of the minutes of the Board of Commissioners meeting dated August 13, 2002. Campbell, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

- 2) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

- 3) **CLAIMS:** Approval of all claims processed through Tuesday, August 20, 2002.

MOTION: Heier moved and Stevens seconded approval of all claims processed through August 20, 2002. Stevens, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

4) **PUBLIC HEARINGS:** (Those people wishing to testify will be sworn in.)

A. An application for Corporate Manager for Lorin Dagele in connection with a Class K (Wine Off Sale Only) and a Class M (Bottle Club) liquor license held by Firethorn Investments d/b/a Firethorn Golf Club, located at 9301 Firethorn Lane, Lincoln, Lancaster County, Nebraska.

The Chair opened the public hearing and asked if anyone wished to testify in favor of the application.

No one appeared.

Stevens inquired about a discrepancy between the application (Question 1) and the report from the Sheriff, noting that he would not be in favor of the Corporate Manager application because the applicant was not available to respond.

MOTION: Campbell moved and Heier seconded to continue the public hearing relating to an application for Corporate Manager for Lorin Dagele in connection with a Class K (Wine Off Sale Only) and a Class M (Bottle Club) liquor license held by Firethorn Investments d/b/a Firethorn Golf Club, located at 9301 Firethorn Lane, Lincoln, Lancaster County, Nebraska for one week and to direct the County Clerk's Office to call the applicant to request he attend the County Board meeting scheduled for Tuesday, August 27, 2002. Workman, Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

The Chair recessed the hearing until Tuesday, August 27, 2002.

B. An application for Corporate Manager for Roy G. Dickson in connection with a Class M (Bottle Club) liquor license held by Corporate Golf Marketing d/b/a Yankee Hill Country Club, located at 7600 San Mateo Lane, Lincoln, Lancaster County, Nebraska.

The Chair opened the public hearing and asked if anyone wished to testify in favor of the application.

4) **PUBLIC HEARINGS CONTINUED:**

The Clerk administered the oath to Roy Dickson, applicant.

Dickson appeared and stated he has been in the business for 27 years. He stated that prior to working in Lincoln he held similar positions in the States of Texas and Kansas.

Campbell asked Dickson if he would be willing to attend a responsible hospitality seminar.

Dickson responded he would be willing to attend.

The Chair recessed the public hearing until Tuesday, August 27, 2002.

5) **OLD BUSINESS:**

A. An interlocal agreement with Educational Service Unit (ESU) 18 for educational services to youth detained at the Juvenile Detention Center, beginning August 19, 2002 and ending July 31, 2003. The County shall reimburse ESU 18 up to \$803,000 for services provided. (C-02-0300)

MOTION: Hudkins moved and Campbell seconded approval of an interlocal agreement with Educational Service Unit (ESU) 18 for educational services to youth detained at the Juvenile Detention Center, beginning August 19, 2002 and ending July 31, 2003. The County shall reimburse ESU 18 up to \$803,000 for services provided. Stevens, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

B. An interlocal agreement with Educational Service Unit (ESU) 18 for educational services to youth detained at the Juvenile Detention Center, beginning June 5, 2002 and ending July 22, 2002. The County shall reimburse ESU 18 up to \$57,395 for services provided. (C-02-0301)

5) **OLD BUSINESS CONTINUED:**

MOTION: Hudkins moved and Heier seconded approval of an interlocal agreement with Educational Service Unit (ESU) 18 for educational services to youth detained at the Juvenile Detention Center, beginning June 5, 2002 and ending July 22, 2002. The County shall reimburse ESU 18 up to \$57,395 for services provided. Heier, Workman, Hudkins, Campbell and Stevens voted aye. Motion carried.

6) **NEW BUSINESS:**

A. Approval of the use of the following County owned properties by the Public Building Commission for the acquisition of 902 "K" Street and 400 South 9th Street, valued at \$283,000: (C-02-0374)

- ▶ 13,570 square feet of Lot 111 at 50 cents per square foot for a total amount of \$6,785
- ▶ 1309 "M" Street, Lots C, D, E and F, Jones Subdivision of Lots 4, 5 and 6, Block 90, in the amount of \$130,000

MOTION: Campbell moved and Hudkins seconded approval of the use of the following County owned properties by the Public Building Commission for the acquisition of 902 "K" Street and 400 South 9th Street, valued at \$283,000: 13,570 square feet of Lot 111 at 50 cents per square foot for a total amount of \$6,785 and 1309 "M" Street, Lots C, D, E and F, Jones Subdivision of Lots 4, 5 and 6, Block 90, in the amount of \$130,000. Campbell, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

B. An application for Utility Permit 616 with Charter Communications, Inc. to install fiber optic cables on North 190th Street from Ashland Road to Greenwood Road, on Greenwood Road from North 190th Street to North 162nd Street, on North 162nd Street to Raymond Road, on Raymond Road from North 162nd Street to North 141st Street and on North 141st Street to Highway 6. (C-02-0375)

6) **NEW BUSINESS CONTINUED:**

MOTION: Heier moved and Campbell seconded approval of an application for Utility Permit 616 with Charter Communications, Inc. to install fiber optic cables on North 190th Street from Ashland Road to Greenwood Road, on Greenwood Road from North 190th Street to North 162nd Street, on North 162nd Street to Raymond Road, on Raymond Road from North 162nd Street to North 141st Street and on North 141st Street to Highway 6. Heier, Workman, Stevens, Campbell and Hudkins voted aye. Motion carried.

C. A temporary license agreement with Charter Communications, Inc. to install fiber optic cables on North 190th Street from Ashland Road to Greenwood Road, on Greenwood Road from North 190th Street to North 162nd Street, on North 162nd Street to Raymond Road, on Raymond Road from North 162nd Street to North 141st Street and on North 141st Street to Highway 6. (C-02-0376)

MOTION: Campbell moved and Stevens seconded approval of a temporary license agreement with Charter Communications, Inc. to install fiber optic cables on North 190th Street from Ashland Road to Greenwood Road, on Greenwood Road from North 190th Street to North 162nd Street, on North 162nd Street to Raymond Road, on Raymond Road from North 162nd Street to North 141st Street and on North 141st Street to Highway 6. Stevens, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

D. An interlocal agreement with the Department of Health and Human Services to provide the State, through the Clerk of the District Court, with necessary documentation regarding child support collections due, court orders and other necessary information for the collection of child support. The County shall be reimbursed for these services based upon a percentage of time allocated to the Title IV-D program. The term of the agreement is June 1, 2002 to June 3, 2004. (C-02-0377)

6) **NEW BUSINESS CONTINUED:**

MOTION: Campbell moved and Heier seconded approval of an interlocal agreement with the Department of Health and Human Services to provide the State, through the Clerk of the District Court, with necessary documentation regarding child support collections due, court orders and other necessary information for the collection of child support. The County shall be reimbursed for these services based upon a percentage of time allocated to the Title IV-D program. The term of the agreement is June 1, 2002 to June 3, 2004. Workman, Campbell, Hudkins, Stevens and Heier voted aye. Motion carried.

E. Recission of County Board approval of County contracts C-02-0302 and C-02-0307 for the services of Mary L. Paine Ph.D. for psychological services at the Community Mental Health Center.

David Johnson, Deputy County Attorney, gave a brief explanation relating to the recission of the contracts (C-02-0302 and C-02-0307), noting they had never been executed by Dr. Paine.

MOTION: Hudkins moved and Stevens seconded to rescind County Board approval of County contracts C-02-0302 and C-02-0307 for the services of Mary L. Paine Ph.D. for psychological services at the Community Mental Health Center. Hudkins, Workman, Heier, Campbell and Stevens voted aye. Motion carried.

F. An agreement with Mary L. Paine, Ph.D. to provide sex offender assessment and treatment services and mental health services to the County, beginning July 1, 2002 to June 30, 2003. Mary Paine will work up to 40 hours per week at the Crisis Center and ten hours per week at the Mental Health Center's Sex Offender Treatment Program. The County shall pay \$65 per hour. (C-02-0378)

MOTION: Campbell moved and Hudkins seconded approval of an agreement with Mary L. Paine, Ph.D. to provide sex offender assessment and treatment services and mental health services to the County, beginning July 1, 2002 to June 30, 2003. Mary Paine will work up to 40 hours per week at the Crisis Center and ten hours per week at the Mental Health Center's Sex Offender Treatment Program. The County shall pay \$65 per hour.

6) **NEW BUSINESS CONTINUED:**

Dean Settle, Director of the Community Mental Health Center, explained Dr. Paine would be available to work 40 hours in the event the forensic psychologist at the Crisis Center took time off, however, she would continue to provide ten hours in the Community Outpatient Program.

ROLL CALL: Campbell, Heier, Stevens, Workman and Hudkins voted aye.
Motion carried.

G. A contract with PharMerica for annual requirements for pharmacy and related services at Lancaster Manor, beginning November 1, 2002 and ending October 31, 2005, with an option to renew for one additional three year period. (C-02-0381)

MOTION: Hudkins moved and Campbell seconded approval of a contract with PharMerica for annual requirements for pharmacy and related services at Lancaster Manor, beginning November 1, 2002 and ending October 31, 2005, with an option to renew for one additional three year period. Hudkins, Campbell, Stevens, Heier and Workman voted aye. Motion carried.

H. Third amendment to an agreement with ServiceLinc for the provision of employment services to individuals referred to Lancaster County who have serious mental disorders. The amendment extends the term to August 31, 2002 and permits the County to utilize unexpended funds in the amount of \$5,700. (C-02-0382)

MOTION: Campbell moved and Heier seconded approval of a third amendment to an agreement with ServiceLinc for the provision of employment services to individuals referred to Lancaster County who have serious mental disorders. The amendment extends the term to August 31, 2002 and permits the County to utilize unexpended funds in the amount of \$5,700. Campbell, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

6) NEW BUSINESS CONTINUED:

I. Grant contracts with the following:

- ▶ YWCA, in the amount of \$56,000, for the Parents Center and Survival Skills Program, beginning July 1, 2002 to June 30, 2003 (C-02-0384)
- ▶ League of Human Dignity, Inc., in the amount of \$61,750, for the Center for Independent Living and barrier removal, beginning July 1, 2002 to June 30, 2003 (C-02-0385)
- ▶ CenterPointe, Inc., in the amount of \$340,030, for the following programs Community Support, Youth Residential, Outpatient, Adult Day Services and Adult Residential, beginning July 1, 2002 to June 30, 2003 (C-02-0383)

MOTION: Campbell moved and Stevens seconded approval grant contracts with the following: YWCA, in the amount of \$56,000, for the Parents Center and Survival Skills Program, beginning July 1, 2002 to June 30, 2003; League of Human Dignity, Inc., in the amount of \$61,750, for the Center for Independent Living and barrier removal, beginning July 1, 2002 to June 30, 2003 and CenterPointe, Inc., in the amount of \$340,030, for the following programs Community Support, Youth Residential, Outpatient, Adult Day Services and Adult Residential, beginning July 1, 2002 to June 30, 2003. Heier, Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

J. Ratification and approval of the following grant contracts with the Nebraska Crime Commission which are in conjunction with the following agencies for the following amounts with the following matches:

<u>Agency</u>	<u>Crime Commission Funding</u>	<u>County Match</u>	<u>Agency Match</u>
YWCA of Lincoln (C-02-0388)	\$21,600	\$20,900	\$1,200
Family Violence Council (C-02-0389)	\$177,066	\$0	\$78,425
Lincoln Action Program (C-02-0390)	\$48,000	\$0	\$46,603
Lincoln Action Program (C-02-0391)	\$19,500	\$0	\$21,510
Cedars Youth Services (C-02-0392)	\$48,000	\$0	\$27,000

6) NEW BUSINESS CONTINUED:

<u>Agency</u>	<u>Crime Commission Funding</u>	<u>County Match</u>	<u>Agency Match</u>
Cedars Youth Services (C-02-0393)	\$32,000	\$0	\$11,226
Cedars Youth Services (C-02-0394)	\$62,000	\$0	\$34,731
Cedars Youth Services (C-02-0395)	\$35,000	\$0	\$7,313
Lancaster County (C-02-0396)	\$54,700	\$334,370	\$0
Lancaster County (C-02-0397)	\$18,260	\$0	\$20,000
Lancaster County (C-02-0398)	\$265,790	\$138,174	\$85,010

MOTION: Campbell moved and Heier seconded to ratify and approve the following grant contracts with the Nebraska Crime Commission which are in conjunction with the following agencies for the following amounts with the following matches:

<u>Agency</u>	<u>Crime Commission Funding</u>	<u>County Match</u>	<u>Agency Match</u>
YWCA of Lincoln (C-02-0388)	\$21,600	\$20,900	\$1,200
Family Violence Council (C-02-0389)	\$177,066	\$0	\$78,425
Lincoln Action Program (C-02-0390)	\$48,000	\$0	\$46,603
Lincoln Action Program (C-02-0391)	\$19,500	\$0	\$21,510
Cedars Youth Services (C-02-0392)	\$48,000	\$0	\$27,000
Cedars Youth Services (C-02-0393)	\$32,000	\$0	\$11,226
Cedars Youth Services (C-02-0394)	\$62,000	\$0	\$34,731
Cedars Youth Services (C-02-0395)	\$35,000	\$0	\$7,313
Lancaster County (C-02-0396)	\$54,700	\$334,370	\$0
Lancaster County (C-02-0397)	\$18,260	\$0	\$20,000

6) **NEW BUSINESS CONTINUED:**

<u>Agency</u>	<u>Crime Commission Funding</u>	<u>County Match</u>	<u>Agency Match</u>
Lancaster County (C-02-0398)	\$265,790	\$138,174	\$85,010

Stevens, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

K. An amendment to County contract C-02-0233 with Innerspace Studios, Ltd. for the provision of space planning services at the County Commissioners Offices. The amendment provides for the reconfiguration services of two offices. The County shall pay up to an additional \$350. (C-02-0386)

MOTION: Campbell moved and Hudkins seconded approval of an amendment to County contract C-02-0233 with Innerspace Studios, Ltd. for the provision of space planning services at the County Commissioners Offices. The amendment provides for the reconfiguration services of two offices. The County shall pay up to an additional \$350. Workman, Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

L. A resolution in the matter of County maintenance of roads in the Al Larson Subdivision and Dagley replat. (R-02-0093)

MOTION: Heier moved and Campbell seconded approval of a resolution in the matter of County maintenance of roads in the Al Larson Subdivision and Dagley replat. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

7) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

7) CONSENT ITEMS CONTINUED:

- A. Receive and Place on File:
1. Noxious Weed Control Authority's Monthly Report for July, 2002.
 2. Noxious Weed Control Authority's Monthly Report for the Combined Weed Program with the City of Lincoln for July, 2002.
 3. Records and Information Management's Monthly Report for July, 2002.
 4. 2002 annual inventory of County real property from the Register of Deeds Office.
 5. Register of Deeds Monthly Report for July, 2002.
- B. Setting of a public hearing for Tuesday, September 17, 2002 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding an application for Corporate Manager for George Daniel Killham and a Class B (Beer Off Sale Only) and a Class M (Bottle Club) liquor license from Fosters Tap, Inc. d/b/a Fosters Tap located at 24049 South 12th Street in Princeton, Lancaster County, Nebraska.
- C. Requests from Michael R. Miller and Perian R. Pattillo, employees with the Lancaster County Community Mental Health Center, to voluntarily participate in the Lancaster County Retirement Plan, having met the requirements.
- D. An agreement between the Lancaster County Community Mental Health Center and Pitney Bowes to lease a postage meter for 36 months, beginning October 10, 2002, to be paid quarterly, in the amount of \$238.40. (C-02-0387)
- E. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and Norris Public Power District, in the total amount of \$626.88, on South 120th Street from Highway 2 to Bennet Road; Project C55-QR-408(1). (2 contracts) (C-02-0379 and C-02-0380)
- F. A resolution authorizing the installation of a "Stop Ahead" sign on West Fletcher Avenue west of Northwest 112th Street for eastbound traffic. (R-02-0094)

MOTION: Campbell moved and Heier seconded approval of the Consent Items. Stevens, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

8) **OTHER BUSINESS:**

Craig Groat, 4735 Huntington Avenue, Lincoln, Nebraska, appeared and stated he had appeared at last week's meeting to discuss his concerns regarding the Old Federal Building and the County's use of its power of eminent domain under Neb. Rev. Stat. §23-325. He displayed historic photographs of the Old Federal Building, as well as current photographs, and reiterated that the building would serve as an excellent location for County and City offices.

9) **ADJOURNMENT:**

MOTION: Hudkins moved and Campbell seconded adjournment of the Board of Commissioners meeting at 2:16 p.m. Heier, Workman, Hudkins, Campbell and Stevens voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, AUGUST 20, 2002
COUNTY COMMISSIONERS CHAMBERS, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Bob Workman, Chair
Bernie Heier, Vice Chair
Kathy Campbell
Larry Hudkins
Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Rob Ogden, Deputy County Assessor
Trish Owen, Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization was convened at 2:16 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, August 13, 2002. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

MOTION: Hudkins moved and Stevens seconded approval of the minutes of the Board of Equalization meeting dated August 13, 2002. Campbell, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

- 2) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

- 3) **ADDITIONS AND DEDUCTIONS:**

Approval of 2 additions and deductions to the tax assessment rolls per Exhibit A.

MOTION: Campbell moved and Heier seconded approval of the additions and deductions to the tax assessment rolls. Stevens, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

4) **MOTOR VEHICLE TAX EXEMPTIONS:**

Grace Lutheran Church
Lincoln Action Program, Inc.
Sacred Heart Church
Saint Elizabeth Regional Medical Center
Sesostris Shrine
Tabitha Health Care Services

MOTION: Heier moved and Campbell seconded approval of motor vehicle tax exemptions for Grace Lutheran Church, Lincoln Action Program, Inc., Sacred Heart Church, Sesostris Shrine and Tabitha Health Care Services and to also approve a motor vehicle tax exemption for Saint Elizabeth Regional Medical Center subject to titling and registering the vehicle(s) to the applicant. Workman, Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

5) **NOTICE OF VALUATION CHANGE FOR OMITTED OR UNDERVALUED PROPERTY:**

Burlington Northern Railroad

Rob Ogden, Deputy County Assessor, recommended a new value of \$38,870.

MOTION: Campbell moved and Stevens seconded to accept the Deputy Assessor's recommendation and set a new value of \$38,870 for Burlington Northern Railroad. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

6) **ADJOURNMENT:**

MOTION: Heier moved and Campbell seconded adjournment of the Board of Equalization meeting at 2:18 p.m. Stevens, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

Bruce Medcalf
County Clerk